

**TREMONTON CITY CORPORATION  
CITY COUNCIL MEETING  
November 17, 2015**

Members Present:

Diana Doutre  
Lyle Holmgren  
Jeff Reese  
Bret Rohde - excused  
Byron Wood  
Roger Fridal, Mayor  
Shawn Warnke, City Manager  
Darlene S. Hess, Recorder

**CITY COUNCIL WORKSHOP**

Mayor Fridal called the November 17, 2015 City Council Workshop to order at 6:00 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Doutre, Holmgren, Reese, and Wood, City Manager Shawn Warnke, and Recorder Darlene S. Hess. The following Department Heads were also present: Public Works Director Paul Fulgham and Police Chief David Nance. Councilmember Rohde was excused.

1. Review of agenda items on the 7:00 p.m. Council Meeting:

The Council reviewed the November 17, 2015 Agenda with the following items being discussed in more detail:

**Agenda.** Councilmember Doutre asked for item 9 d. to be removed from the agenda as Mr. Ellsworth is unable to serve on the Planning Commission at this time.

**Canvass.** Recorder Hess will review the canvass from the County for the City Council to approve. Mayor Fridal noted that he is happy to have Councilmembers Reese and Doutre continue their service on City Council and will welcome Lyle Vance as the newest Councilmember in January. It will be sad to see Councilmember Wood leave City Council.

**Discussion on 2015-2016 street reconstruction projects cost overruns.** Director Fulgham stated that some of the road projects went over. The Cemetery parking lot cost an additional \$10K. There were also four large patches which were paid for out of the O & M budget. City crew did the excavation for the patches on 100 West, 200 West, 1000 West, and 400 South. The patches were necessary because of heavy vehicle traffic.

The pavement at Melody Park was thicker than expected, 6-7" thick, and cost more to have it removed. There were a lot of soft spots that needed to be excavated and redone to prevent early failures. Some of the east to west streets in Melody Park were inadvertently

left out of the bid and had to be done. The Melody Park Project was \$87K over budget. The street reconstruction was over budget \$120,963 including the Melody Park Project. The majority of extra costs the City incurred from the Melody Park Project came from having the extra material hauled away and fixing the soft spots.

The 2014 study showed the remaining surface life for the roads at 12.9 years. With the road projects this year, the remaining surface life is now 14.5 years. That is the average road life for the all City roads; however, the City does chip seal every other year and road rebuilds which will help the road life grow.

Councilmember Reese asked where the funds for the road project overruns will come from. Manager Warnke explained that the budget will be amended soon and he will see what can be done to accommodate the extra expense. The City was committed to finishing the project once started. Director Fulgham explained there is no way to know the shape of the road until it is dug up. The City always puts contingencies in the estimates but the project had multiple things that drove the cost up. Director Fulgham tries not to do overlays because the middle of the road gets thicker and the edges are thinner because they have to bring it down to curb level. The edges then start to have failures because they are thin.

Councilmember Holmgren asked what the City will do with the old road that was ground up. Director Fulgham explained that it is used for road base. It is actually better than road base. The City will rescreen it and use for backfill material, trenches, and shoulder work. The County has two different options for the ground road: 1) It can use the ground road and add reactivation oil that reactivates the asphalt oil and rolls it, or 2) do a coal roll by bringing in road base and adding oil asphalt and mixing then blading it and rolling it, followed by a chip seal. It makes a pretty good road but not as good as a hot mix road, which locks together.

Mayor Fridal commented that the road to the Bear River Conservancy district has a lot of heavy vehicles driving on it and it still looks good. Director Fulgham stated that it holds up well because the roads are nothing but gravel and more gravel is continually added.

The Council noted that the City road projects needed to be done and the community is happy with the results. Many people have commented on how nice the cemetery looks. The parking lot at the Cemetery will make a big difference as well.

**October Warrant Register.** Councilmember Wood asked what the two pumps were for. Director Fulgham said the pumps are used at the Wastewater Treatment Plant to boost the water pressure from 0 to 110 pounds of pressure. They are a multistage pump and run nonstop.

Councilmember Doutre asked if the City has enough water storage for the Spring Hollow and Spring Hollow Legends Subdivision. Director Fulgham stated there is enough water storage. The 750 gallon tank helped, but if anything goes any higher in Country View Estates, there will need to be another storage reservoir. There will be around 40-50

homes built in Spring Hollow Legends. Councilmember Dautre noted that some of the homes are reserved for senior housing with the homes at the top for regular family homes. Director Fulgham said that the lower part of Spring Hollow Legends can have secondary water but the upper part does not have enough pressure.

**Ordinance No. 15-15.** Manager Warnke explained that the recommended changes to Ordinance No. 15-15 will make the issuing and processing of business licenses clearer for the applicant and the City. It states if a business license is revoked, a similar business license cannot be reissued to the applicant for a period of ten years unless the City Council authorizes it. It should be changed to two years to coincide with Title 1. *My Style* moved to Garland but was not allowed to do tattoos there either. Councilmember Reese thanked the Bear River Valley Health Department (BRVHD) for backing up the City's decision to close *My Style*. Kevin Christensen from the BRVHD stated that the discussion went clear to the director and they felt Tremonton City made the right decision.

**Ordinance No. 15-16.** When motor vehicle taxes are paid, there is an additional tax related to transportation corridor preservation. The State Legislature authorized counties to assess this additional amount when people renew motor vehicle licenses. Box Elder has been accruing funds for acquiring future corridors. There have been recent changes in State Law that took the fiscal control from the Utah Department of Transportation (UDOT) and gave it to the counties. Part of the requirements for cities to access the funds is to have an acquisition Ordinance that is consistent with Federal requirements. The plan must be approved by the Council of Governments (COG) or all the Mayors. Manager Warnke will bring the plan before the COG tomorrow night to get approval so it will be eligible for consideration.

Councilmember Holmgren asked where the future corridors would be. Manager Warnke explained that some of the corridors include Main Street, which is controlled by UDOT. It is a prescriptive process in the plan for the City. UDOT has regulations regarding spacing based upon the category of road. There is not a lot of leeway. The City has a pretty comprehensive Transportation Plan. Director Fulgham noted that it is important to have roads that continue through an area, especially collector roads that will move people out of neighborhoods. There is a Community Impact Board (CIB) grant the City received to do some planning. Some of the grant funds were used for the Sustainable Design Assessment Team (SDAT) matching funds and some were used for Main Street Corridor Planning.

**Resolution No. 15-44.** Manager Warnke reminded the Council that several subdivisions have been recorded but no improvements have been made. The financial guarantee for the public improvements has lapsed. The City has been working with Lookout Point and Harmony Heights. It looks like Harmony Heights will vacate the property. Lookout Point would like to enter an agreement that is recorded against the property. The agreement would require them to put a bond in place before they sell a lot and come up to the City's current standards when they do public improvements and financially guarantee it. Director Fulgham said that Lookout Point is up Country View Drive below the

detention basin and will go west from there. Harmony Heights is right across from the State Road Shed off 1000 North heading west out of town and was planned as a commercial park.

**Resolution No. 15-45.** Chief Nance stated that Honeyville has already signed the agreement. It is very similar to the agreement the City has with Garland and other surrounding areas. Honeyville contacted Tremonton about entering into an agreement. They were working with Brigham but wanted to switch. Honeyville has a part-time animal control person. The agreement would allow them to bring their animals to our shelter. There are generally not a lot of animals brought from other towns, except there are quite a few from Garland.

Councilmember Dautre asked Chief Nance about calls she has received concerning raccoons. Chief Nance has explained to anyone that calls in that raccoons are not domesticated animals. The Police Department tries to help out but it is not the responsibility of the City.

**Resolution No. 15-46.** It is an agreement for the rental of Box Elder School District's facilities. Councilmember Reese noted it is a good deal and wondered why Box Elder County charges so much. Parks and Recreation Director Marc Christensen reported to Manager Warnke previously that Jan Rhodes with Box Elder County has been fantastic to work with. The City still needs to formalize a price with them.

**Motion by Councilmember Holmgren to move into Closed Session.** Motion seconded by Councilmember Reese. Roll Call Vote: Councilmember Dautre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye, Councilmember Wood – aye. Motion approved.

The Council moved into closed session at 6:34 p.m.

2. **CLOSED SESSION:**

- a. *Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms*
- b. *Session to discuss the mental health, character, and competence of an individual*

**Motion by Councilmember Reese to return to open meeting.** Motion seconded by Councilmember Wood. Roll Call Vote: Councilmember Dautre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye, Councilmember Wood – aye. Motion approved.

The Council returned to open session at 6:54 p.m.

The meeting adjourned at 6:55 p.m. by consensus of the Council.

## **CITY COUNCIL MEETING**

Mayor Fridal called the November 17, 2015 City Council Meeting to order at 7:00 p.m. The meeting was held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Doutre, Holmgren, Reese, and Wood, City Manager Shawn Warnke, and Recorder Darlene S. Hess. The following Department Heads were also present: Public Works Director Paul Fulgham, Senior Center Director Marion Layne, Police Chief David Nance, and Food Pantry Director Cathy Newman. Councilmember Rohde was excused.

1. Opening Ceremony:

Mayor Fridal informed the audience that he had received no written or oral request to participate in the Opening Ceremony. He asked anyone who may be offended by listening to a prayer to step out into the lobby for this portion of the meeting. The prayer was offered by City Manager Warnke and Mayor Fridal presented a patriotic You Tube video.

2. Introduction of guests:

Mayor Fridal welcomed all in attendance and encouraged the scouts that were in attendance to get their Eagle Scout award.

3. Approval of Agenda:

Mayor Fridal asked if there were any changes or corrections to the Agenda. No comments were made.

**Motion by Councilmember Reese to approve the agenda of November 17, 2015 and eliminate item 9 d.** Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

4. Approval of minutes – October 6, 2015:

Mayor Fridal asked if there were any changes to the minutes. There were no comments.

**Motion by Councilmember Holmgren to approve the minutes of October 6, 2015.** Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

5. Public comments: Comments limited to three minutes:

There were no comments.

6. Canvass of the 2015 Municipal Election

Recorder Hess thanked all the candidates that ran for City Council and congratulated those that won. Box Elder County ran the election and reported there were 3,201

registered voters in Tremonton and 853 cast a vote for a total of 26.65% of voters. There were 17 provisional ballots with 2 not counting. The outcome of the election was Lyle Vance – 514 votes/22.19%, Diana Doutre – 425 votes/18.35%, Jeff Reese – 422 votes/18.22%. Jim Abel had the next highest votes followed by Nate Wright then Bryce Rigby. The canvass broke down the number of votes by precinct as well. The canvass will be available on the City's website. Mayor Fridal thanked Recorder Hess.

**Motion by Councilmember Wood to accept the results of the election.** Motion seconded by Councilmember Holmgren. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

7. Presentations

Mayor Fridal thanked Recorder Hess and Directors Layne and Newman for the service they provide to the City. They were presented with Service Awards for their years of service. Recorder Hess expressed appreciation for the Mayors and Councilmembers they have served with. Director's Layne and Newman agreed with Recorder Hess and noted it has been fun. The Mayor and Council make their jobs easy. Councilmember Doutre commented that the work provided by these ladies makes the Council's job easier. The Council thanked them for their efforts.

- a. 10 year Service Award – Cathy Newman
- b. 15 year Service Award - Marion Layne
- c. 20 year Service Award – Darlene Hess

8. Department Head Report:

- a. Discussion on 2015 – 2016 street reconstruction projects cost overruns

Director Fulgham told the Council that the street projects went over budget. Some of the cost overruns were for expanding the parking lot at the Cemetery and some unforeseen issues in Melody Park like extra material that had to be removed. There were also soft spots that had to be fixed and extra costs for the roads going east to west in Melody Park. The cost overrun in the Streets was \$120,963 with \$10,413 for the Cemetery. There were roughly 4% of the roads that were rebuilt or 1.7 miles. That total does not include the Cemetery roadwork that was complete as they do not count toward the City road miles. The surface life of the road went from a 12.9 year surface life rating to 14.5. The City worked on the roads that were in the worst shape.

Councilmember Wood commented that the Council was in agreement to do the work at the Cemetery. Director Fulgham stated there had been an area at the Cemetery used for storing material. The material was removed and the area was turned into a parking lot. The long range goal is to put a restroom at the parking lot. Councilmember Doutre noted that the preventative work done on the sewer lines in Melody Park will save the City money down the road. Councilmember Reese likes that the percentage of good roads has been going up over the last ten years. Councilmember Holmgren said there has been steady improvement on the roads since 2007. Director Fulgham said it is best if the City can keep up with roadwork and not have to borrow against future Street Funds.

Councilmember Wood noted that once the road is opened, the project must be completed regardless of the extra expense. The Council thanked Director Fulgham for his work. Director Fulgham stated that the project on 1000 North was completed in July and the City is still waiting for the final invoices. There may be some cost overruns the Council will have to approve but we will not know until the invoices come in. There is a lot of Federal paperwork that must be filed so it takes a little while. If the Federal Government decides to audit 1000 North, the City would be liable for the cost of the audit. Director Fulgham hopes to have the final cost of the City's share by the end of the year. It will probably be another seven years before the City will be eligible for more Federal Funds to help with more roadwork.

9. New Council Business:

a. Discussion and consideration of approving the September Financial Statement

Councilmember Holmgren asked if the City can provide the report on Sales Tax Revenue that the Council used to receive. The other Councilmembers stated that Treasurer Sharri Oyler sends the report every month. Manager Warnke reported that Treasurer Oyler sends it to the City Council address. Councilmember Holmgren said he does not use that address. Mayor Fridal will get a copy to Councilmember Holmgren.

**Motion by Councilmember Reese to approve the September 2015 Warrant Register.** Motion seconded by Councilmember Wood. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

b. Discussion and consideration of approving the October Warrant Register

**Motion by Councilmember Doutre to approve the October 2015 Warrant Register.** Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

c. Discussion and consideration of approving the October Financial Statement

**Motion by Councilmember Wood to approve the October Financial Statement.** Motion seconded by Councilmember Holmgren. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

d. Discussion and consideration of appointing a person to serve on the Planning Commission (Fred Ellsworth)

This item was removed from the agenda.

e. Discussion and consideration of adopting Ordinance No. 15-15 amending *Title 1 General Provisions, Title 1. General Provisions Chapter 1-400. Administrative*

*Remedies Part 1-410. Hearings Subsection 1-413. Procedure. and Title 9 Licensing, Control and Regulation of Business and Construction Chapter 9-100. Licensing, Control, and Regulations of Businesses Part 9-110 General Provisions Subsection 9-120. Revocation or Denial of Business License of the Revised Ordinances of Tremonton City Corporation*

Manager Warnke stated that Ordinance No. 15-15 approves the procedural processes relative to reconsidering of revocation of Business Licenses. The recommended number of years before an individual can have a similar Business License after revocation is two to three years and would be applied to both sections of Code.

**Motion by Councilmember Reese to adopt Ordinance No. 15-15.** Motion seconded by Councilmember Doutre. The Council chose to have two years before an individual could reapply for a revoked Business License. Roll Call Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Doutre - aye, and Councilmember Holmgren - aye. Motion approved.

- f. Discussion and consideration of approving Ordinance No. 15-16 adopting a transportation corridor property acquisition ordinance consistent with federal requirements

Manager Warnke noted that Ordinance No. 15-16 will allow the City to be eligible to pursue Corridor Preservation Funding.

**Motion by Councilmember Wood to approve Ordinance No. 15-16.** Motion seconded by Councilmember Reese. Roll Call Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Doutre - aye, and Councilmember Holmgren - aye. Motion approved.

- g. Discussion and consideration of adopting Resolution No. 15-44 approving a Development Agreement for Lookout Point Subdivision regarding an extension of time associated with the required public improvements for the subdivision

Councilmember Holmgren stated that the Council discussed this item in the City Council Workshop.

**Motion by Councilmember Holmgren to adopt Resolution No. 15-44.** Motion seconded simultaneously by Councilmembers Doutre and Wood. Roll Call Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Doutre - aye, and Councilmember Holmgren - aye. Motion approved.

- h. Discussion and consideration of adopting Resolution No. 15-45 approving an Animal Shelter and Control Services Agreement with Honeyville City

**Motion by Councilmember Reese to adopt Resolution No. 15-45.** Motion seconded by Councilmember Wood. Roll Call Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Doutre - aye, and Councilmember Holmgren - aye. Motion approved.



- i. Discussion and consideration of adopting Resolution No. 15-46 readopting the Tremonton Recreation – Box Elder School District Joint Agreement for the use and rental of District Facilities

Councilmember Reese commented that it was a good deal for the City and thanked Box Elder School District (BESD). There are several schools that are used for the City's Recreation programs. Mayor Fridal noted it was generous of BESD to allow the City to use the facilities at a relatively cheap rate.

**Motion by Councilmember Holmgren to adopt Resolution No. 15-46.** Motion seconded by Councilmember Doutre. Roll Call Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Doutre - aye, and Councilmember Holmgren - aye. Motion approved.

10. Comments:

- a. Administration/City Manager Advise and Consent

Manager Warnke told the Council there is training available for Elected Officials that is put on by the Utah League of Cities and Town. The next close training is January 9, 2016, which is a Saturday from 8 a.m. to 12 p.m. at Utah State University in Logan. It is a great orientation and refresher course.

- 1) Submitted application for the Zions Commercial Credit Card

The City currently banks with Zions. They have a new commercial credit card program. The City currently gets 1% back on credit card purchases. This new program will allow the City to pool purchases with other municipalities and get a great return on purchases. It is currently at 1.15%. As the volume of the pool expands, the Cities will get a greater cash back return. To be eligible for the credit card, the City would need to spend a million dollars a year. The City would use the credit card as the primary source for acquisitions. If the City spent \$1M there would be a \$10K cashback return which could be greater depending on how the pool does. The application has been submitted.

If the City does not spend \$1M a year they would be ineligible for the credit card and would go back to the credit card the City currently uses. In the past, the City encouraged acquisitions to go on a charge account or be paid by check. There would still be purchase orders attached to every receipt. The balance would be paid off each month. Councilmember Reese was in favor of trying the new credit card.

- 2) Request to UDOT for the placement of brown recreational signs on Interstate 84, Exit 40 informing motorists of the Golden Spike National Historic Site and the Orbital/ATK Rocket Display

Manager Warnke had conversations with UDOT regarding signage for Exit 40. The signs would be a brown recreational sign directing motorists that Exit 40 gives access to a Historic Site. The cost to move the signage, which is currently in Howell, would probably not be too much. UDOT

has specific criteria for the signage and feels that Exit 40 would better fit the criteria. There is wayfinding signage already in place after exiting on Exit 40. The Council is in favor of the signage.

b. Council Reports:

**Councilmember Holmgren** noted that almost 2,000 tulip bulbs have been planted.

**Councilmember Dautre** mentioned that the Boys and Girls Club put on a STEM (Science, Technology, Engineering, Math) fair last week. It was very impressive. So many corporations and others helped. Councilmember Dautre gave a shout out to the Boys and Girls Club. The school children were invited. There were over 1,200 people. Director Fulgham stated that he was invited to participate and spoke from 9:30 am to 6:00 p.m. about water demonstration and wastewater. Councilmember Dautre said the kids enjoyed it and got to handle things like beef hearts.

**Councilmember Wood** congratulated Lyle Vance, Jeff Reese, and Diana Dautre on winning the seats for City Council. There is a Thanksgiving Dinner this Friday at the Senior Center. Director Layne does a great job every year. Councilmember Wood said he will be out of town but if anyone on the Council would like to help serve it is a great meal and activity. Director Layne stated that anyone interested in helping would need to be there by 11:50 a.m. Councilmember Dautre noted that she will be there to help.

**Mayor Fridal** also wanted to thank the candidates that won. It will be a great Council just like it has been.

11. Adjournment.

**Motion by Councilmember Wood to adjourn the meeting.** Motion seconded by Councilmember Reese. Vote: Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

The meeting adjourned at 7:46 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes for the City Council Meeting held on the above referenced date. Minutes were prepared by Cynthia Nelson.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

---

Darlene S. Hess, Recorder